

The Director of Central Intelligence
Washington, D.C. 20505

National Intelligence Council

NIC# 03797-87
10 September 1987

MEMORANDUM FOR: Legislation Division
Office of Congressional Affairs

ATTENTION:

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VIA: H. F. Hutchinson, Jr.
Vice Chairman, National Intelligence Council

FROM: MG Larry D. Budge, USA
National Intelligence Officer for
General Purpose Forces

SUBJECT: Allied Commission on Out-of-Area Issues Act, H.R. 2805

1. The Vice Chairman, National Intelligence Council, has asked that I respond to you with NIC comments on the above subject.

2. The NIC agrees with the concerns and objections laid out by the Department of Defense and State Department. As a general rule, collective security arrangements are effective in direct proportion to each member nation's perception that membership satisfies a vital national interest. NATO has succeeded precisely because it fulfills the interest of providing security against a very real Soviet threat. Given the widely varied membership of the Allied Commission on Out-of-Area Issues, it is highly unlikely that the Commission will be able to generate the necessary consensus on key issues which would allow it to become an effective instrument for promoting collective security. Although an Allied Commission may have utility in educating public elites throughout the member nations in terms of important issues, this function can probably be performed more effectively by private organizations. Congress should encourage such organizations in this endeavor.

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3. If I can be of further assistance, please contact me on

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Larry D. Budge

OCA 87-3849
3 September 1987

MEMORANDUM FOR: Chief, Evaluation and Plans Staff/DO
Director, Office of Global Issues/DI
Chairman, National Intelligence Council

FROM: [redacted] Legislation Division
Office of Congressional Affairs

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SUBJECT: Allied Commission on Out-of-Area Issues Act, H.R. 2805

1. The Office of Management and Budget (OMB) has asked for the Agency's views on letters drafted by the Departments of Defense and State with regard to the above-captioned legislation. This bill would set up a commission on issues which affect the security of the Western allied nations. It is primarily aimed to foster cooperation between the NATO countries and Japan, although other countries may be invited to participate. The functions of the Commission are described in broad terms pertaining to coordination of concerns. Neither Department supports this Commission.

2. In order that we may respond to OMB in a timely fashion, please refer your comments to me by 10 September 1987. You may contact me on [redacted] if you have any questions.

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as stated

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**United States Department of State****Washington, D.C. 20520**

Dear Mr. Bereuter:

Since receiving your letter of July 9, we have given additional thought to the establishment of a commission on out-of-area issues, as proposed in the legislation which you recently introduced. In my letter of March 9, which responded to your previous correspondence on the commission proposal, I outlined several considerations which we continue to endorse.

As you and your colleagues have correctly observed, global trends since the immediate post-war period have considerably reshaped Western security interests. Many of today's most pressing issues -- terrorism, access to raw materials including petroleum, Soviet adventurism in unstable areas -- were barely perceptible just a few decades ago. We, and our allies in Europe, East Asia, and the Pacific, must confront new challenges which have evolved since the establishment of the NATO alliance and other collective security arrangements.

An effective allied approach to out-of-area challenges must rest on three elements: consensus among interested allies on how best to address out-of-area issues, proper machinery to coordinate allied policy, and the means to pursue whatever response or action is decided upon. I would like to take up each of these elements in more detail.

In recent years, the industrial democracies have recognized recurring threats to their security interests. Many of these threats are a direct function of such factors as chronic instability in the developing world, increasing economic interdependence, and the growing capacity of the Soviet Union to project power on a world-wide basis. We face relatively little difficulty in identifying the problems; the more difficult task is to agree on whether a particular out-of-area problem presents sufficient potential costs to merit collective action, and if so, what action would be appropriate. To take the example of international terrorism, nations have tended to interpret somewhat differently what combinations of vigilance, precautionary safeguards, legal initiatives, pre-emptive strikes, or retaliation best address the threat at hand.

The Honorable
Doug Bereuter
House of Representatives.

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In this respect, consensus on policy solutions is the starting point, and sine qua non, for coordinated allied out-of-area action. I believe that an allied out-of-area commission could sometimes serve to build consensus on particular issues. There is, however, considerable risk that a commission's diverse membership would simply replay official national differences of view, or even prompt intra-alliance disagreements which did not previously exist at official levels.

Much "machinery" for coordination on out-of-area issues already exists. On March 9, I outlined several of the NATO Alliance's consultative processes. In broad terms, out-of-area challenges to our security interests are frequently discussed in many fora including the press and academic community, international organizations such as the United Nations, and bilateral as well as multilateral discussions among the Allies, to name a few. We engage in regular bilateral consultations with our allies and friends in the course of constant diplomatic exchanges. Groups of allies meet periodically every year, consistent with informal but regular commitments to consult with one another on global security issues. NATO's North Atlantic Council and Defense Planning Committee meet in plenary session at the ministerial level twice per year. Political and military related consultative meetings take place at NATO, on a less senior level, almost every week. Out-of-area challenges are frequently part of the agenda for such meetings. As you are aware, the United Nations Security Council, of which key allied powers are both permanent and rotating members, regularly reviews international developments as they affect global security. Other mechanisms, such as the annual Western economic summits, consistently take up pressing out-of-area concerns as matters for coordinated action.

On balance, I would signal as most effective our bilateral, and limited multilateral, exchanges as a means of organizing out-of-area policy. These exchanges are especially effective in bringing together knowledgeable experts, who command sufficient authority, and can preserve essential confidentiality, in coordinating out-of-area action. Participants are well acquainted with longstanding historical trends, as well as the immediate conditions which surround a particular problem. Equally important, such exchanges can be carried out on a timely basis, within hours if conditions so warrant.

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The final element of out-of-area coordination concerns implementing policy goals agreed upon by allied nations. Effective response to threats demands political, economic, diplomatic and military resources. We have found that we can best promote joint allied action by engaging primarily those partners who have the means to carry out collective commitments. Once consensus is achieved, interested nations must commit their resources to a given problem -- often in the face of opposition from various quarters. For this reason, we keep a sharp-focus in coordinating out-of-area policy. We concentrate our efforts with other nations most likely to share our views, who have the means to support policy objectives, and who would be ready to commit those means in concerted action. None of these points undermines the idea of an Allied Commission for out-of-area issues as a forum for exploring policy. These considerations do, however, suggest that a commission would be unlikely to promote timely and mission-oriented activities.

Recent policy toward the Persian Gulf demonstrates the elements which I have tried to convey. Through extensive bilateral and multilateral discussion, including the Venice Economic Summit and the UN Security Council, industrial democracies have succeeded in taking joint action. Most recently, the British and French decided to send minesweepers to the Gulf. In addition, the July 20 UNSC resolution which called for a ceasefire/withdrawal in the Iran-Iraq War marked an effective response to an out-of-area threat. This resolution was the product of many contacts which spanned related issues: Operation Staunch designed to halt arms flows to Iran; the Venice Summit Statement calling for an end to Iran/Iraq War and freedom of navigation in the Gulf; and close consultation with allies on regional political developments.

In sum, the present system for allied out-of-area policy coordination meets our key requirements. While there are evident merits to the Allied Commission for out-of-area issues proposed in your recent legislation, it is difficult for us to see how this proposal, if put into effect, would overcome already existing problems. Moreover, the proposal raises budgetary concerns discussed in my previous letter, and there is some question whether other allies would also endorse the idea of setting up yet another institution to address global security questions. Please forgive the length of this reply.

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I have, however, sought to respond in kind to the serious thinking and concerted effort which you and your colleagues have devoted to these important issues.

With best wishes,

Sincerely,

Betsy R. Warren
Acting Assistant Secretary
Legislative and Intergovernmental Affairs

100TH CONGRESS
1ST SESSION

H. R. 2805

To authorize the establishment of a commission on out-of-area issues.

IN THE HOUSE OF REPRESENTATIVES

JUNE 26, 1987

Mr. BEREUTER (for himself, Mr. EDWARDS of Oklahoma, Mr. CLINGER, Mr. BERMAN, Mrs. BYRON, Mr. DICKINSON, Mr. FISH, Mr. FRENZEL, Mr. GRADISON, Mr. GREEN, Mr. HENRY, Mr. HORTON, Mr. JEFFORDS, Mr. KASICH, Mrs. JOHNSON of Connecticut, Mr. LIVINGSTON, Mrs. MARTIN of Illinois, Mrs. MEYERS of Kansas, Mr. PETRI, Mr. PORTER, Mr. ROWLAND of Connecticut, and Mr. SKELTON) introduced the following bill; which was referred to the Committee on Foreign Affairs

A BILL

To authorize the establishment of a commission on out-of-area issues.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Allied Commission on
5 Out-of-Area Issues Act".

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

1 (1) there are issues which arise outside of the pre-
2 scribed boundaries of the principal Western security al-
3 liances which affect the shared security interests of
4 member states and which are referred to as out-of-area
5 issues;

6 (2) such out-of-area issues include contingencies
7 related to the activities of terrorists and terrorist orga-
8 nizations, the use of military force by the Soviet Union
9 or other anti-Western powers in areas of geostrategic
10 importance to the West, and the indigenous instability
11 and turmoil in strategic regions of the less developed
12 World;

13 (3) the allied nations have frequently been at odds
14 concerning the appropriate strategies to employ in
15 meeting such challenges and the extent to which alli-
16 ance partnership implies an obligation to address out-
17 of-area issues cooperatively;

18 (4) at present no allied organization exists which
19 is sufficiently prominent, focused, or comprehensive in
20 its approach to out-of-area issues;

21 (5) if the existing framework for collective securi-
22 ty is to remain stable through the years ahead, it is
23 necessary that actions be taken which will allow the
24 Western allies to more cooperatively and effectively
25 confront out-of-area challenges; and

1 (6) unless properly managed these issues threaten
2 to weaken the political consensus underlying the West-
3 ern security system.

4 **SEC. 3. PURPOSE.**

5 It is the purpose of this Act to provide a framework for
6 the establishment of a commission on out-of-area issues
7 (hereinafter referred to as the "Commission") and to encour-
8 age the President to seek the establishment of such a Com-
9 mission. The Commission would include participants from
10 among the group of militarily allied Western nations and
11 would be regarded by the United States as a principal institu-
12 tion for consideration of allied perspectives and policy options
13 with respect to out-of-area issues. Once established, the
14 Commission would serve the allies in an advisory capacity
15 but would not provide a forum for formal intergovernmental
16 negotiations.

17 **SEC. 4. FUNCTIONS OF COMMISSION.**

18 It is the sense of the Congress that the Commission
19 should—

20 (1) promote a better understanding of how West-
21 ern nations might respond to out-of-area challenges,
22 events, and issues either individually or collectively,
23 without formally engaging NATO or other security
24 alliances;

1 (2) specifically define potential out-of-area contin-
2 gencies which might threaten the West as a whole,
3 and to suggest and encourage the adoption of contin-
4 gency plans for responding collectively to such events;

5 (3) better relate, for planning purpose, the out-of-
6 area security concerns of Japan and America's other
7 Asian allies with those of NATO;

8 (4) explore the possibility of better coordinating
9 the foreign and military aid programs of the Western
10 allies as a means of promoting growth and stability in
11 less developed countries; and

12 (5) promote better coordination among Commis-
13 sion participants in the other multinational organiza-
14 tions to which they belong.

15 **SEC. 5. INVITATIONS TO PARTICIPATE IN COMMISSION.**

16 (a) **INVITATION TO NATO COUNTRIES AND JAPAN.—**

17 The President may invite the member states of the North
18 Atlantic Treaty Organization and Japan to participate with
19 the United States in a commission on out-of-area issues.

20 (b) **INVITATION TO CERTAIN OTHER COUNTRIES.—**

21 The President may also invite member states of the Security
22 Treaty between Australia, New Zealand, and the United
23 States of America (ANZUS), the Southeast Asia Treaty Or-
24 ganization (SEATO), and other appropriate countries to par-
25 ticipate in the Commission.

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1 **SEC. 6. ORGANIZATION OF COMMISSION.**

2 **(a) ESTABLISHMENT FRAMEWORK.**—It is the sense of
3 the Congress that there would be a significant advantage, in
4 terms of both cost and administrative efficiency, if the Com-
5 mission were to be established within an already existing,
6 nonsecurity-oriented, multinational framework.

7 **(b) DELEGATE SELECTION.**—It is the sense of the Con-
8 gress that the Commission should be composed of nationally
9 appointed delegates who by demonstrated ability, back-
10 ground, training, and experience are qualified to contribute to
11 the work of the Commission. Delegates would be appointed
12 by national executive branches of government. Delegations of
13 participating countries would be of equal size and delegates
14 would not be individuals who serve in any other government
15 capacity.

16 **(c) OPERATIONS.**—It is the sense of the Congress that
17 the Commission should convene at least twice yearly for the
18 purpose of assessing works in progress and establishing
19 future agendas. The office of chairperson of the Commission
20 would rotate, at an interval to be determined by the partici-
21 pants. Delegates would serve on the full Commission as well
22 as specific task forces. The Commission should be encouraged
23 to utilize the facilities of established multinational institu-
24 tions.

25 **(d) REPORTS.**—It is the sense of the Congress that the
26 Commission should compile and disseminate task force re-

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1 ports, findings, and policy memoranda as well as an annual
2 report. The annual report should include a comprehensive
3 record of the Commission's activities and deliberations during
4 the year concluded; a detailed summation of the out-of-area
5 issues and events which touched upon the interests of the
6 allied Western nations in the preceding year and member
7 states responses to these events; and any proposals and rec-
8 ommendations which the Commission considers appropriate.
9 The annual report should be submitted to the foreign minis-
10 tries and the highest political and military councils of partici-
11 pating states. Member States should be urged to respond to
12 such annual report in writing.

13 **SEC. 7. REPORT TO CONGRESS.**

14 Not later than one year after the date of enactment of
15 this Act, the President shall submit a report to the appropri-
16 ate committees of the Congress on progress toward imple-
17 mentation of this Act. Such report shall include specific infor-
18 mation concerning United States initiatives and allied re-
19 sponses as well as notification of any progress toward decid-
20 ing upon an organizational framework within which to locate
21 the Commission.

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